



Bulgaria

Country Reports on Human Rights Practices - [2001](#)

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Bulgaria is a parliamentary republic ruled by a democratically elected government. A coalition government headed by former King Simeon Saxe-Coburg took office in July following the victory of his National Movement Simeon II (NMS) party in June parliamentary elections which observers agreed were generally free and fair despite some media irregularities. The governing coalition consists of the NMS and the mainly ethnic Turkish Movement for Rights and Freedoms (MRF). A predominantly ethnic Roma political formation, the "EuroRoma" party, was an electoral partner of the MRF and thus is technically a member of the governing coalition, although it has no representatives in the Cabinet or the Parliament. Incumbent President Petar Stoyanov of the Union of Democratic Forces (UDF), who had been elected to a 5-year term in 1996, was defeated in the November presidential elections by Georgi Parvanov of the Bulgarian Socialist Party (BSP), whose term begins in January 2002. The Constitution provides for an independent judiciary; however, the judiciary suffers from corruption and continued to struggle with structural and staffing problems.

Internal security services are the responsibility of the Ministry of the Interior and include the National Police, the National Service for Combating Organized Crime, the National Security Service (civilian domestic intelligence), the National Gendarmerie Service (paramilitary police), and the Border Police. Although government control over the police is improving, it still is not sufficient to ensure full accountability. The Special Investigative Service (SIS), which provides investigative support to prosecutors on serious criminal cases, is a judicial branch agency and therefore is not under direct executive branch control. The Bulgarian media reported that the "public order" services, such as the National Intelligence Service (NIS) and National Bodyguard Service (NBS) were not subject to adequate judicial, executive, or legislative oversight of their activities or budgets. Some members of the police committed serious human rights abuses.

The country, with a population of approximately 8.3 million, is in transition from an economy dominated by loss-making state enterprises, concentrated in heavy industry, to one dominated by the private sector. Approximately 80 percent of state assets destined for privatization—including enterprises in the chemicals, petroleum processing, and metallurgy sectors—already have been sold in a process that was not completely transparent. Principal exports are agricultural products, tobacco products, chemicals and metals, although light industry—including textiles and apparel—is growing in importance. The private sector accounts for approximately 61.3 percent of gross domestic product (GDP). In 2000 the inflation rate was approximately 10 percent and GDP growth was 5.8 percent. The annual per capita GDP of \$1,600 provides a relatively low standard of living.

The Government generally respected the human rights of its citizens; however, while there were improvements in some areas, its human rights record was poor in other areas. Members of the security forces were responsible for some killings. Security forces commonly beat suspects and inmates and beat and mistreated minorities. Arbitrary arrest and detention were problems. Security forces harassed, physically abused, and arbitrarily arrested and detained Romani street children. Problems of accountability persisted and inhibited government attempts to address police abuses. Conditions in many prisons and detention facilities were harsh. There remained some instances of prolonged pretrial detention, although the Government has continued to improve its performance in preventing defendants' periods of pretrial detention from exceeding the statutory limit of 1 year. The judiciary is underpaid, understaffed, and has a heavy case backlog; corruption of the judiciary is a serious problem. The Government infringed on citizens' privacy rights. The Government exerted undue influence on the media. There were limits on freedom of association. The Government restricted freedom of religion for some non-Orthodox religious groups. Constitutional restrictions on political parties formed along ethnic, racial, or religious lines effectively limit participation in government for some groups. Violence and discrimination against women remained serious problems. Conditions for children in state institutions were poor, and because of a lack of funds, the social service system did not assist homeless and

other vulnerable children adequately, notably Romani children. There was some discrimination against persons with disabilities. Societal discrimination and harassment of "nontraditional" religious minorities persisted, but were less frequent than in the past year. Discrimination and societal violence against Roma were serious problems. Child labor was a problem. Trafficking in women and girls was a serious problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of political killings; however, law enforcement or military personnel were responsible for some killings. Police shot and killed at least six persons, and two other individuals died while in police custody. Four of those killed were of Roma or Turkish ethnicity.

The Ministry of Interior Act permits law enforcement officials to use firearms to apprehend persons committing crimes or who have committed crimes, even if the crimes are minor. Law enforcement officers also may use firearms to stop the escape of a person who has been arrested for any crime. For example, on February 1, police shot and killed a criminal suspect named Slatin Slatinov near the town of Dolni Chiflik. There was an investigation of the case, but prosecutors determined that the shooting was legal and no charges were filed. On February 12, a police sergeant shot and killed Ivailo Gerdanov following a fight that took place in front of a nightclub in the town of Shipka. Gerdanov, a bodyguard at a nightclub, allegedly had started beating a client who had been involved in the brawl. It is unclear whether the officer was on duty or not, but he was detained and a police investigation was ongoing at year's end. On July 22, a military police officer shot and killed 21-year-old Sevgin Asan, an AWOL soldier. Asan had deserted from his army unit in Elhovo and was spotted by military police, who chased him; one of the officers reportedly shot Asan four or five times. An officer was charged in the case, but no hearing or trial was held during the year.

There were at least two deaths in police custody. On January 10, an ethnic Turk named Mehmet Myumyun, also known as Milotin Mironov, died in police custody. While police were raiding a restaurant in Sofia, Mironov tried to escape through a bathroom window. Police handcuffed Mironov, stating that he had put up "fierce resistance." Mironov later complained of dizziness, fainted, and died before emergency assistance could arrive. The cause of death is uncertain, although the Department of Forensics reportedly determined that Mironov had had a previous heart attack and that he had three broken ribs at the time of his death. There was no further information about the case at year's end. On April 6, a Roma man, Emil Velinov, died in the investigative detention facility in Dupnitsa. While his relatives claimed that officials had killed him, a police investigation found that Velinov committed suicide and the police closed the case.

On January 29, an off-duty police officer shot and killed Eleonora Dimitrova, a 16-year-old ethnic Bulgarian girl, in the center of Sofia. The police officer, who had been drinking, was arrested and charged with manslaughter. An initial hearing took place during the year, but the trial was postponed. The officer was released on bail pending trial.

On July 2, a police sergeant from the regional Directorate of Internal Affairs shot and killed Vasil Stoynev Mirchev in Kyustendil. Mirchev and the policeman reportedly quarreled, and the policeman shot Mirchev in the head. An investigation found that Mirchev allegedly had caused the discharge of the gun when he pushed the policeman's hand, and no charges were brought in the case.

On August 5, 2000, Emil Arnudov of Asenovgrad was beaten severely by two on-duty policemen after he allegedly caused a disturbance in a bar; he died of his injuries on August 15, 2000. One policeman was charged with homicide by the military prosecutor as a result of the incident and was convicted and sentenced during the year; the second policeman was cleared of responsibility in 2000. The regional police chief received a reprimand.

In July 2000, in Sofia, police shot and killed Trycho Lyubomirov, a 19-year-old Roma man, reportedly while he was attempting to flee police custody. During the year, a police officer involved in the incident was charged and convicted by the military prosecutor of the negligent use of a firearm. In November 2000, Dimitur Dimitrov, a conscript soldier, died of asphyxiation while running laps wearing a gas mask. An investigation eventually resulted in a conviction during the year of a military officer; the officer appealed the conviction and his appeal was ongoing at year's end. There were no developments in the 1999 killing of Tancho Vasev, or in the 1999 death in police custody of Kostadin Sherbetov.

In November five men appeared before the Sofia City Court who were charged in connection with the 1996

killing of former Prime Minister Andrey Lukanov; the trial was ongoing at year's end. One man, a building contractor, is charged with commissioning the murder, but Lukanov's son, who is seeking \$25,000 (50,000 leva) in civil damages, has stated publicly his belief that others were behind the killing. At year's end three of the five accused men were out on bail and two remained in detention.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution expressly prohibits torture and cruel, inhuman, or degrading treatment; however, police commonly beat criminal suspects and members of minorities at times to extract false testimony. Security force personnel also physically abused street children, the majority of whom are Roma (see Section 5).

According to the Ministry of Interior, the National Police Service received 74 complaints about police violence between January 1 and September 30. Of these complaints, the Ministry stated that only eight complaints concerned crimes "related to the execution of official duties," and three officers and seven sergeants were disciplined for violations. Although some government officials have stated that, under the country's criminal law code, any complaints about beatings by police are required to be heard by judges; at times this law was not respected in practice. Human rights monitors reported that they receive many complaints from persons who are too intimidated to lodge an official complaint with the authorities. Most military prosecutors' offices refused to provide data on police brutality complaints. Only the Varna military prosecutor's office responded, stating that, during the year, they received 90 complaints about the use of physical force or firearms by police or military officers, and that the prosecutor's office has started 44 investigations against 62 individuals.

Government officials claimed that police officers in the police academy completed human rights awareness training during the year; however, this training has been criticized by some observers as insufficient. Unlike the previous year, the Bulgarian Helsinki Committee (BHC), a nongovernmental organization (NGO), reported that it did not conduct any human rights awareness training for police during the year.

Reports continued that criminal suspects in police custody run a significant risk of being mistreated, most often during the initial interrogation. The BHC conducted a survey in prisons of incarcerated persons arrested after January 2000, and found that 49 percent (compared with 51 percent in 1999) of interviewed prisoners reported that police officers used physical force against them during arrest; 44 percent (compared with 53 percent in 1999) reported one or more beatings at police stations. No new statistics were available. Romani prisoners reported being abused more frequently than other prisoners. Very seldom are allegations of police abuse properly investigated nor are the offending officers consistently punished. The Military Prosecutor's office in particular has not investigated incidents of alleged police abuse thoroughly or expeditiously.

On February 24, a police sergeant detained and beat a Romani man, Mitko Naidenov, allegedly because he was suspected in a theft case. According to NGO reports, Naidenov was hospitalized for 12 days for injuries sustained in the beating. Naidenov filed a complaint with the Regional Military Prosecutor's Office in March, and according to an NGO report, the perpetrator was sentenced to make compensation to the victim, but that decision had not been enforced at year's end.

On July 5, police shot and severely injured a 30-year-old Rom, Slavi Vele, during an incident in which Vele and a group of Roma allegedly were stealing from a garden. According to NGO reports, Vele was admitted to a hospital in critical condition but did not die as a result of his injuries. An investigation continued at year's end.

On August 15, police beat Nikolay Alekov with truncheons and kicked him while he was being questioned in the Third District police station in Sofia.

An NGO reported that, on August 6, 2000, police officers severely beat Orhan Ahmedov and Marin Georgiev, two Romani men from Varbitsa. Ahmedov and Georgiev filed complaints with the Sliven Regional Police Department, and the Regional Military Prosecutor's Office of Sliven. In August 2000, the Military Prosecutor's Office opened a criminal investigation, but on April 17, the Sliven Regional Military Court terminated the criminal case, reportedly because an administrative punishment—not a criminal sanction—was imposed.

In May 2000, police shot and wounded Atanas Dzhambazov, a 14-year-old Roma who was trespassing on the grounds of a factory near Sliven. In August 2000, the Sliven Military Court found the policeman, Surchanov, guilty of negligence and imposed a fine of about \$250 (500 leva). A civil lawsuit was pending at year's end; according to an NGO following the case, the lawsuit had not moved forward because the court has demanded

that Dzhambazov pay a fee, which is not legally required.

In April 2000, according to unconfirmed NGO reports, a 16-year-old Rom, Tsvetalin Petrov, suffered third-degree burns after allegedly being doused with an inflammable liquid and set on fire while in custody in the Vidin police station. Police claimed Petrov was set on fire by an unknown perpetrator; a preliminary investigation that was pending at the end of 2000 was terminated during the year by the Pleven Regional Military Prosecutor's Office. Petrov appealed this decision, and the Pleven Regional Military Court ordered the investigation reopened. The investigation was ongoing at year's end.

Police are allowed to shoot any fleeing criminal suspect. In January 2000, police shot and seriously injured Stefan Yordanov, a Romani man, in Burgas District (see Section 1.a.). An NGO filed a complaint with the Regional Military Prosecution of Sliven; however, the Sliven prosecutor refused to open an investigation.

Many observers alleged that some members of the police, particularly in remote areas, were complicit in trafficking in persons (see Section 6.f.).

Crime and corruption remained primary concerns of the Government during the year. Notwithstanding changes in the Criminal Procedure Code, which became effective on January 1, 2000, significant improvements have not taken place. Observers believe that further changes may be necessary and that improved coordination between the police and the judicial system is required to make the law enforcement system more effective and less corrupt. Changes to the Criminal Procedure Code reduced the size of the SIS while reserving to it the responsibility for handling the most serious crimes. At the same time, many investigative duties were devolved to the police and the Government made a significant effort to provide training in investigative techniques to police officers. However, questions about the effectiveness of the criminal justice system remained: It is unclear which specific duties the SIS has retained, and there is little evidence that devolution of powers to police has resulted in increased numbers of completed investigations.

Observers have noted modest improvement in the efficiency of moving cases through the criminal system, although many serious systemic flaws remained. The police continued to struggle with resolving a large backlog of outstanding investigation cases, some as much as 10 years old, which they inherited from the former investigative service.

There were several incidents of societal violence against and harassment of Roma, including children, during the year (see Section 5).

Conditions in some prisons are harsh and include severe overcrowding, inadequate lavatory facilities, and insufficient heating and ventilation. The SIS's parallel network of jails and prisons contains many of the harshest detention facilities. NGO prison monitors reported that brutality committed by prison guards against inmates continued to be a problem. Prison authorities sustained their efforts against tuberculosis (TB), instituting a new procedure for regular testing; the overall numbers of TB cases remained steady during the year. The process by which prisoners may complain of substandard conditions or of mistreatment does not function effectively. In August 24 prisoners protested poor conditions at the Sofia Central Prison by climbing onto the roof of the jail. Justice Minister Anton Stankov met with them and the Justice Ministry allocated more funding to improving the quality and quantity of food served to inmates during the year. "Labor correction hostels" are used to house criminals under age 18, and are less restrictive than prisons. Men and women may be housed in the same jail, but are held in separate cells. Pretrial detainees are held separately from convicted criminals.

The Government generally cooperated with requests by independent observers to monitor conditions in most prisons and detention facilities. Although access to SIS facilities reportedly was difficult for human rights observers in 2000, the BHC stated that its representatives were allowed access to them throughout the year. Unlike in regular prisons, observers still are prohibited from interviewing detainees in the SIS facilities. Human rights monitors continued to enjoy good access to regular prisons.

d. Arbitrary Arrest, Detention, or Exile

The Constitution provides for protection against arbitrary arrest and detention; however, there were some restrictions on this right. Police often arbitrarily arrest and detain street children, the majority of whom are Roma (see Section 5). Police also detained some members of minority religious groups (see Section 2.c.).

The Constitution provides for access to legal counsel from the time of detention; however, a 1999 survey of prisoners conducted by the Bulgarian Helsinki Committee (BHC) found that 54 percent of prisoners complained that they had no lawyer present during preliminary investigations. The BHC believes this figure

generally remained valid during the year. Persons may be detained for no more than 24 hours at the request of an investigating magistrate or a police officer; however, detention may last for up to 72 hours if ordered by a prosecutor. Police normally obtain a warrant from a prosecutor prior to apprehending an individual; however, warrants are not always required for arrest. If the person is released without being charged before the 24-hour period elapses, there is no judicial involvement in the case. Human rights observers charge that police often handle minor offenses by arresting suspects, beating them, and releasing them within the 24-hour period (see Section 1.c.).

Defendants have the right to visits by family members, to examine evidence, and to know the charges against them. Charges may not be made public without the permission of the Prosecutor General. To enable a speedy trial, investigations are prescribed by law to last no more than 2 months under normal circumstances, although this period may be extended to 6 months by the head regional prosecutor, and up to 9 months by the Prosecutor General.

Human rights NGO's reported that the Government generally continued to observe the statutory limit of 1 year of pretrial detention (or 2 years in the case of the most serious crimes). While human rights lawyers noted some continuing violations of this policy, increasingly these situations have become exceptions rather than common practice. There also appears to be a legal consensus that the pretrial detention limits apply cumulatively to all of the separate periods of detention; for example, in cases where defendants' cases have been sent to the courts for review and returned to prosecutors for further investigation. This is a change from earlier practice, when such a situation restarted the clock on the defendant's pretrial detention. However, many cases still may be formally deemed to be in the "on-trial" phase for an extended period of time. This occurs when a case file has been presented to the court by prosecutors, but has not yet been acted upon by the judge. Cases may, not uncommonly, remain in this situation for months, while the defendant remains in custody. The Ministry of Justice reported that at year's end, there were approximately 1,000 accused persons in pretrial detention centers, 1,100 "indicted persons" in the country's 13 jails and 23 "labor correction hostels" (see Section 1.c.), and 8,971 convicted prisoners.

Human rights monitors reported that in many localities, children may be held for months in Educational Boarding Schools on the basis of police referral before a local commission convenes to make a decision on the case (see Sections 1.e. and 5).

Among the changes made to the Criminal Procedure Code in 2000 was increased oversight by judges of pretrial detention and conditions of bail. Under these rules, only judges may determine the necessity of holding suspects in custody and to set bail.

In the event of a conviction, the time spent in pretrial detention is credited toward the sentence. The Constitution provides for bail, and some detainees have been released under this provision, although bail is not used widely.

The Constitution prohibits forced exile, and the Government does not use it.

e. Denial of Fair Public Trial

Under the Constitution, the judiciary is granted independent and coequal status with the legislative and executive branches; however, the judiciary continued to struggle with problems including a lack of transparent and neutral standards for assigning cases; poor coordination between prosecutors, investigators, and courts; corruption; low salaries; understaffing; antiquated procedures; and a heavy backlog of cases. The European Union Accession Report on Judicial Independence that was issued during the year stated that because the Constitution provides for independence of the "judicial power," which includes judges, public prosecutors, and investigating magistrates, the separation of these powers is blurred and the independence of judges is compromised. The report also found that the Ministry of Justice continued to exercise extensive administrative powers, and that the Government influences the appointment and promotion of judges and prosecutors, and also influences the outcome of cases. Partly as a legacy of communism and partly because of the court system's structural and personnel problems, many citizens have little confidence in the judicial system. Long delays in trials were common. Human rights groups complained that local prosecutors and magistrates sometimes failed to pursue vigorously crimes committed against minorities. Many observers believe that reforms are essential to establish a fair and impartial, as well as efficient, judicial system. In 2000 the Government began an ambitious training program to upgrade the expertise of the judiciary with the help of international donor organizations, which produced limited results, according to observers.

The court system consists of regional courts, district courts, and Supreme Courts of Cassation (civil and criminal appeal) and Administration. A Constitutional Court, which is separate from the rest of the court system, is empowered to rescind legislation that it considers unconstitutional, settle disputes over the conduct

of general elections, and resolve conflicts over the division of powers between the various branches of government. Military courts handle cases involving military personnel (including police personnel) and some cases involving national security matters. The Constitutional Court does not have specific jurisdiction in matters of military justice.

Judges are appointed by the 25-member Supreme Judicial Council (SJC) and, after serving for 3 years, may not be removed except under limited, specified circumstances. The difficulty and rarity of replacing judges, virtually regardless of performance, often has been cited as a hindrance to effective law enforcement. The 12 justices on the Constitutional Court are chosen for 9-year terms as follows: One-third are selected by the National Assembly, one-third appointed by the President, and one-third selected by judicial authorities. During the year, the question of whether investigating magistrates enjoyed overly broad immunity--and thus were generally free from disciplinary measures for incompetence or corruption--led to a proposal to limit magistrates' immunity that failed in Parliament, but may be reintroduced next year. The internal mechanisms that controlled against corruption in the judicial system were weak. Due to its composition and inadequate support staff the SJC, which is responsible for the proper administration of justice and drafting the judiciary's budget, was not able to effectively set the judiciary's budget, ensure the effectiveness of judges, or protect the judiciary's independence. The European Union Accession Report on Judicial Independence that was issued during the year reported that the SJC's mixed composition--including numerous appointees of Parliament, the Ministry of Justice, and representatives of other magistrates--and its mandate to represent the entire judicial system (judges, prosecutors, and investigators) make it an ineffective representative of judges and their independence.

Local observers contend that organized crime influences the prosecutor's office. Few organized crime figures have been prosecuted to date, but the Government continued to make the battle against organized crime a priority. According to the National Service for Combating Organized Crime, approximately 110 organized crime groups operate in the country. The Ministry of Interior has requested and received assistance from foreign governments in its efforts to close legal loopholes and strengthen enforcement capabilities against criminal groups engaged in racketeering and other illegal activities. Nonetheless the Saxe-Coburg Government came to power largely because the public believed that the previous administration tolerated widespread corruption (see Section 3).

The Constitution stipulates that all courts shall conduct hearings in public unless the proceedings involve state security or national secrets, and authorities generally respected this provision. Defendants have the right to know the charges against them and are given ample time to prepare a defense. The right of appeal is provided for and is used widely. Defendants in criminal proceedings have the right to confront witnesses and to have an attorney, provided by the state if necessary in serious cases.

The judiciary continued to suffer from a heavy backlog of cases, which resulted in long delays for trials. The practice of plea-bargaining, which was introduced in January 2000, had not yet effectively lightened the caseload for prosecutors. In addition plea-bargaining reportedly is perceived by many citizens as a way for the wealthy to buy their way out of charges. In the first 6 months of the year, there were 336,723 scheduled hearings, compared to 325,326 in all of 2000; completed trials rose from 312,995 in 2000 to 329,872 during the first 6 months of the year.

Human rights observers consider "Educational Boarding Schools" (formerly known as "Labor Education Schools") to which problem children can be sent as little different from penal institutions (see Section 5). However, since the schools are not considered prisons under the law, the procedures by which children are confined in these schools are not subject to minimal due process; several human rights organizations have criticized this denial of due process. Children sometimes appeared alone despite the requirement that parents must attend hearings; the right to an attorney at the hearing is prohibited expressly by law. Decisions in these cases are not subject to judicial review, and children typically stay in the Educational Boarding Schools for 3 years or until they reach majority age, whichever occurs first. The law provides for court review of sentencing to such schools, sets a limit of a 3-year stay, and addresses some other problems in these institutions (see Section 5); however, human rights activists dismiss this court review provision as a formality, since the child is not present to speak on his or her own behalf (nor is the defense lawyer or the child's parents).

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of the home, the right to choose one's place of work and residence, and the freedom and confidentiality of correspondence, and government authorities generally respect these provisions; however, there are regular, albeit not conclusive or systematic, reports of mail, especially foreign mail, being delayed or opened.

In January the Prosecutor's Office announced that approximately 10,000 wiretaps had been authorized during 2000, of which, according to the International Helsinki Federation, only 2 to 3 percent were ever used in criminal proceedings. Although the precise extent of the Ministry of Interior's discretionary power to authorize telephone wiretaps and electronic listening devices without judicial review is unknown, concerns remained that government security agencies acted without sufficient oversight. During the year, media reports and commentaries discussed the need for better legislation or oversight regarding the various "public order" agencies, such as the National Intelligence Service, the National Bodyguard Service, and the National Security Service. A parliamentary commission, charged with oversight of the activities of public order agencies, held hearings during the year.

The Bulgarian Helsinki Committee has alleged that at times the issuance of warrants to investigate suspects' private financial records are abused to give police broad and open-ended authority to engage in far-ranging investigations of a suspect's family and associates.

In July as many as 240 Roma families were displaced when their illegally constructed homes in Sofia's residential neighborhood of Lyulin were demolished to make way for the construction of a new supermarket. The residents' belongings reportedly were left in piles on the ground. The local authorities offered the Roma temporary accommodation in caravans, pending the construction of community apartments over the next 2 years.

Traffickers in persons use threats against women's families and family reputations to ensure obedience (see Section 6.f.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government exerted undue influence on the media. A variety of media outlets present a broad spectrum of opinion; however, libel is punishable under the criminal code, and journalists issued public statements of protest against government interference in state-owned radio during the year. The Government exerted undue influence on the media during the year via official channels such as the National Council for Radio and Television (NCRT), a quasi-governmental body that oversees national media and regulates private broadcasters, and through less direct means such as steering advertising revenue away from media outlets that are critical of government policies. In the past, surveys have shown that significant numbers of journalists feel constrained in their reporting because of government influence, but data on the situation under the Government elected during the year was not available. Previously, one-third of journalists surveyed claimed that they had received outside pressure of some sort, either from government officials or business interests, in response to material they had written or broadcast. Prosecutors also are regarded widely as wielding an intimidating influence over journalists who are critical of the judicial process.

Libel is punishable under the Criminal Code. In March 2000, the Parliament enacted modified amendments to the Penal Code, after President Petar Stoyanov had vetoed the original version in January 2000. Responding to the President's concerns, the Parliament reduced the fines for libel and defamation by half to approximately \$7,000 (15,000 leva), but this reduced fine remains a heavy penalty in the context of the country's economy. The new provisions eliminated imprisonment as a penalty for libel; however, according to an NGO report, in one case a person was imprisoned for libel, despite the amendment, because imprisonment was allowable at the time he was charged. Journalists charged with libel or defamation also have reduced rights of appeal for libel sentences under the law. Under the law, libel remains a criminal offense, as opposed to a matter of civil law, and losing defendants are considered to be criminal convicts. However, press freedom monitors have reported that the courts generally continued to define libel and interpret the law in a manner that favored journalistic expression.

In 2000 Parliament enacted the Access to Public Information Act (APIA), with the ostensible purpose of establishing broader public access to government information; however, implementation of the law was uneven (see Section 4). The law has been criticized widely for being vague in its provisions and enabling arbitrary denials of information. A majority of journalists believe that the Act actually hampers rather than facilitates public access to information. Nevertheless a study on the law's impact stated that journalists increasingly took the law into account when seeking information from the Government, and the Access to Information Program (AIP) received 135 requests for help in using the APIA. The AIP reports that when it gets involved, government agencies often, but not always, respond to APIA requests.

In July the Government announced new rules regarding coverage of the activities of the Council of Ministers. Media representatives will be obliged to cover Cabinet activities from a specified location near the Council,

only the first few minutes of Council sessions are to be filmed, and media will have to nominate a maximum of five reporters to report from the Council, rather than simply entering with their press cards. A July 31 session had no media coverage, because it was "informal," according to a BHC report, which added that the press was concerned by the fact that they no longer will be able to meet with Cabinet members on the floor of the Prime Minister's office and session hall.

A variety of newspapers are published freely by political parties and other organizations representing the full spectrum of public opinion. However, journalists frequently write reports to conform with the views of their owners.

The NCRT issued licenses to 10 television stations and 126 radio stations during the year. In April 2000, the Kostov Government awarded a license for the first privately owned television channel with nationwide coverage to the Balkan News Corporation. This station has spurred new programming initiatives from Bulgarian National Television (BNT). A second license for a nationwide private television channel, which was awarded in October 2000 to Nova Television (NTV), was revoked in July after the Supreme Administrative Court ruled that it had been awarded in violation of procedures.

On November 6, President Stoyanov signed a new media law, which created an Electronic Media Council (EMC). Five of the EMC members will be chosen by Parliament, and four by the President. The EMC will regulate programming, as did its predecessor the NCRT, and will issue licenses for electronic media, a power previously held by the State Telecommunications Commission. Staffing of the EMC had not begun by year's end. The Council of Europe has criticized the concentration of frequency allocation in a non-technical body, and concern exists that this measure will lessen state radio and television independence in covering government policies and programs. The process of revising procedures for licensing private radio stations was ongoing at year's end. By September the Ministry of Transport and Communications had prepared and submitted to the Council of Ministers amendments to the 1998 Telecommunications Act which would alter the procedure for licensing private radio stations. The amendments were passed in December. However, at a political level, the dismissal of former BNT Director General Liliyan Popova—who was considered to be loyal to former Prime Minister Kostov—and the appointment to the EMC of persons affiliated with the NMS party have created the perception that the new government, like the previous one, is attempting to exert control over state-owned media. In the past, some private radio stations have complained that government policies allocating transmission strength on the monopoly state-owned radio transmission network give the Bulgarian National Radio programming an unfair advantage; however, there were no such complaints during the year.

There are no formal restrictions on programming and both television and radio provide a variety of news and public interest programming. Television and radio news programs on the state-owned media presented opposition views, but under the previous government some opposition members claimed that their activities and views were given less broadcast time and exposure than those of the then-ruling party. In February and March, journalists protested the appointment of Ivan Borislavov as director of Bulgarian National Radio (BNR) by the NCRT. The journalists alleged that Borislavov's appointment was a politically motivated move by the UDF party to gain control of the state radio station before the June parliamentary elections. Two journalists who led the protest were fired, but were subsequently reinstated. The Supreme Administrative Court subsequently ruled that the decision to hire Borislavov was illegitimate, and Borislavov was fired and replaced by Polyana Stancheva. Towards the end of the year, there was increasing evidence of attempts by the NMS government to exercise influence over state-owned media. In addition to passing the controversial measures regarding the EMC and removing the Director General of BNT, the Government also removed a political television talk show host, Yavor Dachkov, whose program had become known for its criticism of the NMS.

In October 2000, the BNT launched Turkish-language newscasts for the first time for the benefit of the country's ethnic Turkish minority. Local affiliates of Bulgarian National Radio broadcast limited Turkish-language programming in regions with ethnic-Turkish populations. Foreign government radio programs such as the British Broadcasting Corporation, Deutsche Welle, Radio Free Europe, Radio France Internationale, and the Voice of America have good access to commercial radio frequencies.

There were several instances of violent attacks on journalists in 2000, including physical assaults and bombings of newspaper offices, although no individuals were injured seriously. Police identified three suspects in these cases, and were continuing investigations at year's end.

Access to the Internet is unrestricted, although many citizens cannot afford computers. Internet cafes, often frequented by young persons, are common.

The Government generally respects academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right to peaceful assembly, and the Government generally respected this right in practice. The authorities require permits for rallies and assemblies held outdoors, but most legally registered organizations routinely were granted permission to assemble. Vigorous political rallies and demonstrations were a common occurrence and generally took place without government interference.

The Constitution provides for freedom of association but prohibits groups that endanger national unity or promote racial, national, ethnic or religious hatred, violate the rights of citizens, or seek to achieve their objectives through violent means. Government has undertaken to respect the rights of individuals and groups to establish freely their own political parties or other political organizations; however, there are constitutional and statutory regulations that restrict the right of association and limit meaningful participation in the political process. For example, the Constitution forbids the formation of political parties along religious, ethnic, or racial lines and prohibits "citizens' associations" from engaging in political activity. These provisions are designed to prevent the development of parties based on a single ethnic or other group that could prove divisive for national unity by stirring up ethnic tensions for political purposes. Nonetheless the mainly ethnic Turkish Movement for Rights and Freedoms (MRF) has long been represented in Parliament and during the year was represented in the Cabinet as well. The other major political parties generally accept the MRF's right to participate in the political process. In addition a number of predominantly ethnic Roma political parties achieved some success in local elections during the year.

The Constitution also prohibits organizations that threaten the country's territorial integrity or unity, or that incite racial, ethnic, or religious hatred. The Government has refused since 1990 to register a self-proclaimed Macedonian rights group, OMO-Iinden, on the grounds that it is separatist. Aside from its symbolic importance, lack of registration denies the group the status of being a legal entity, which makes it impossible for the organization (in its own name) to make contracts, hire staff, rent or buy office space or meeting space, or other such administrative functions. There were no reports of any prosecutions for membership in this group.

In February 2000, the Constitutional Court, Bulgaria's final authority on the matter, ruled that the political party United Macedonian Organization (OMO-Iinden-Pirin) (not the same organization as the similarly named rights group, OMO-Iinden, although there are links between the groups) was unconstitutional on separatist grounds. The court ruled that leaders of OMO-Iinden-Pirin have advocated the secession of the Pirin-Macedonia region of southwest Bulgaria and its annexation by the former Yugoslav Republic of Macedonia. Early in the year, with the support of the Bulgarian Helsinki Committee, OMO-Iinden-Pirin leaders filed an appeal with the European Court of Human Rights (ECHR). Notwithstanding the Constitutional Court decision, the Government allowed OMO-Iinden-Pirin to hold public celebrations on Macedonian holidays in April and August 2000; however, a similar event was prohibited in September 2000 by an order of the regional prosecutor's office. The dispute continued during the year.

During the year, the citizens' association OMO-Iinden attempted to hold a ceremony on July 29, near the town of Petrich, to commemorate the anniversary of the Iinden Uprising. The group reportedly notified the local mayor and did not receive a refusal within the prescribed 5-day period; however, on the day of the ceremony, the police blocked access to the location the group wanted to reach, claiming that training activities were being conducted there. Members of the organization subsequently marked the anniversary in the town of Petrich itself. On October 2, the ECHR ruled that the Government had violated OMO-Iinden's right to peaceful assembly, as guaranteed by Article 11 of the European Convention on Human Rights and Fundamental Freedoms, and ordered the Government to pay more than \$5,000 to OMO-Iinden. However, officials noted that the court did not rule that the Government could not disband groups on the basis of threats to national unity or incitement to racial or religious hostility.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, the Government restricts this right in practice for some "nontraditional" religious groups. The Constitution designates Eastern Orthodox Christianity as the "traditional" religion. The Government provides financial support for the Eastern Orthodox Church, as well as for several other religious communities perceived as holding historic places in society, such as the Muslim, Roman Catholic, and Jewish faiths, which also are considered "traditional." These groups benefit from a relatively high degree of governmental and public tolerance.

The legal requirement that groups whose activities have a religious element register with the Council of Ministers restricted the activities of some religious groups prior to or in the absence of registration. Affected groups included the Unification Church and the Church of the Nazarene (which has tried repeatedly to register for more than 6 years). Furthermore several municipal governments, including those of Burgas, Plovdiv, Pleven, Gorna Oryahovitsa, and Stara Zagora, established local registration requirements or adopted other restrictive laws curtailing the free practice of religious activities, often in contravention of the country's law. For example, a regulation passed by the Sofia municipality in February 1999 forbids references to miracles and

healing during religious services, a provision that many fear may be employed as a pretext to ban or interrupt services by charismatic evangelical groups. The City Council in Burgas maintained its refusal to register the local branch of Jehovah's Witnesses, despite the fact that they were registered by the central Government. The council asked the group to prove that they had not been banned in any European Union country in order to be registered. Plovdiv municipality passed an ordinance that forbade the distribution in public places of "religious materials or pornography." Some municipal ordinances also imposed intrusive financial reporting requirements that specifically apply to church organizations. It is not clear if local authorities actively enforced all of these new provisions. The national Government has on some occasions, but not systematically, stopped local governments from enforcing restrictive municipal government decisions, which appear to fall into a gray area of the law. By year's end, the local registration requirements were suspended by the governors of the regions where they were passed, and legal proceedings were initiated to formally invalidate the requirements. For instance, several evangelical Christian groups filed a lawsuit during the year against municipal authorities in Pleven, alleging that the authorities have prevented religious activists from proselytizing to the public without a permit, but have refused to issue such permits.

In some cases, local authorities used the lack of registration as a pretext for interference with some groups and harassed others. Some church groups circumvented the administrative obstacles created by a lack of registration by registering as NGO's. Technically it remained illegal for a church to conduct any religious activities through its NGO-registered organization, although the Government sometimes tacitly allowed such groups to conduct worship so long as they kept a very low profile. There were periodic reports of police using lack of local or national registration as a pretext to confiscate signboards and materials, detain or expel religious workers, and deny visas or residence permits to foreign-national missionaries. During the year, although no attacks were reported, the ability of religious groups to conduct services freely or hold open events at times was obstructed by local government authorities and because of public intolerance. For example, in November the Kurdzhali municipality refused to issue the Christian Unity Biblical Association a permit for a planned public gathering. The Municipal Authority reportedly justified its decision by stating that the evangelical association preached ideas that were "alien to local people."

On December 13, 2000, approximately 2,000 Orthodox clergy and Church members marched in Sofia to protest the Government's refusal to register the Holy Synod headed by Patriarch Maksim. The previous Government refused to register the synod, citing an administrative court ruling that there are two Orthodox Churches in the country. On December 14, the Evangelical Alliance--a group of several Protestant denominations--wrote a letter to the Government complaining about the lack of a Protestant representative in the Directorate of Religious Affairs (which includes Orthodox, Muslim, Jewish, and Catholic representatives).

Parliament deliberated extensively during the year on a proposed law that would regulate religious organizations. The various proposals, including the final version adopted by the relevant committee, contained numerous provisions and ambiguous passages of serious potential concern, and would have given the Government a controlling role in overseeing the activities of religious groups. Final action on the draft bill was deferred pending a review and comment from the Council of Europe. The Council of Europe's commentary criticized numerous aspects of the draft law. A similar version of the draft law, containing many of the same flaws as its predecessor, was reintroduced in July, but it gained little support. Although religious groups are not satisfied with the continued use of the law on religion, which was promulgated under the communist government in 1949, Bulgarian lawmakers have been unable to reach an acceptable compromise.

The July 1999 detention and deportation of a stateless Palestinian was ruled a violation of the European Convention on Human Rights by the Council of Europe in January (see Section 2.d.).

On April 12, police in Sofia detained two members of Jehovah's Witnesses (including a 14-year-old girl) for proselytizing. According to the members of Jehovah's Witnesses, police warned the girl not to continue her religious activities.

In April an official of the Studentski Grad district of Sofia refused to allow the showing of a documentary-style film on the life of Jesus, after written application was made for the screening. Notwithstanding regulations that prescribe a written reply, the official advised organizers that he would not allow such a film to be shown in his district at Easter time. Also in April, Nova Zagora city officials refused permission for the showing of the same film, asserting that the film violated the tenets of the Bulgarian Orthodox Church.

In April 2000, police questioned several missionaries of the Church of Jesus Christ of Latter Day Saints (Mormons) in Plovdiv who were distributing literature; the police required them to go to the police station, where they were charged with distributing brochures without a license. Police action against Mormons continued sporadically during the year, although members of the Mormon Church continued display information about the church on the street and to distribute leaflets to passersby.

In October 2000, a government licensing commission denied without explanation approval for a new nondenominational Christian radio station "Glas Nadezhda" ("Voice of Hope"), despite the support of the Government's Directorate of Religious Affairs. Several sources reported that the unofficial position of commission members was that non-Orthodox Christian groups should not be allowed to have a radio station, at least until the Bulgarian Orthodox Church has one of its own. The Bulgarian Orthodox Church gave no indication of any interest or intent to establish a radio station. After the decision was upheld by the courts, the group seeking to establish the Christian radio station took the issue before the ECHR, where the case was pending at year's end.

A number of religious groups have complained that foreign-national missionaries and religious leaders experienced difficulties in obtaining and renewing residence visas in the country; the issuance of residence visas appeared to be subject to the whim of individual authorities. New amendments to the Law on Foreign Persons, which went into effect on May 1, have created problems for foreign national missionaries and religious workers in the country; for example, the revised law has no visa category which explicitly applies to missionaries or religious workers, and rules for other categories of temporary residence visa (such as self-employed or business-owner) have been tightened in ways that reportedly make it more difficult for religious workers to qualify. This problem has been exacerbated by the fact that by year's end key government institutions had not yet developed implementing regulations or procedures to handle their new responsibilities under the law, despite the fact that the new law was in force. Human rights groups also have protested the cancellation of residence status of several persons on undisclosed national security grounds, alleging that the action was a pretext for religious discrimination.

The Government has abolished the construction and transportation battalions, to which ethnic and religious minorities previously were assigned in order to segregate them from the regular military forces. The conscript troops of the military are integrated; however, the professional officer corps has few members of ethnic or religious minority groups.

At the Department of Theology of Sofia University, all students are required to present a certificate of baptism from the Orthodox Church, and married couples must present a marriage certificate from the Church in order to enroll in the Department's classes. It remains impossible for non-Orthodox applicants to be admitted to the Department of Theology.

NGO's and certain denominations claimed that a number of their properties confiscated under the communist government were not returned. For example, the Muslim community has indicated that it once owned at least 17 properties around the country that the Government has not returned. The Government also reportedly retains six buildings in Sofia, three in Plovdiv, and several other buildings in other towns, as well as three monasteries that belonged to the Catholic Church. Methodists and Adventists also claim land or buildings in Sofia and other towns. A representative of the Jewish community said that former Jewish properties have mostly been recovered over the last 10 years, with two exceptions in downtown Sofia. The head of the Office on Restitution Issues said that the list of outstanding claims was shorter during the year, and that the law permits resolution of claims if a timely filing is made. However, a central problem facing all claimants is the need to demonstrate that the organization seeking restitution is the organization--or the legitimate successor of the organization--that owned the property prior to September 9, 1944. This is difficult because communist hostility to religion led some groups to hide assets or ownership, and because documents have been destroyed or lost over the years.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement within the country and the right to emigrate; however, there are two limitations on these rights in practice. Access to border zones is limited for nonresidents (the border zones extend 1.2 to 3 miles inward from each border). Every citizen has the right to return to the country, may not be forcibly expatriated, and may not be deprived of citizenship acquired by birth; there are no limits to these rights under the Constitution.

The Government grants asylum and refugee status in accordance with the standards of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Law on Refugees regulates the procedure for granting refugee status as well as the rights and obligations of refugees. The Agency for Refugees, formerly the National Bureau for Territorial Asylum and Refugees, is charged with following this procedure. The Government cooperates with the U.N. High Commission for Refugees (UNHCR), and other humanitarian organizations in assisting refugees.

The Government provides first asylum. In the past, domestic and international human rights organizations have expressed concern over the Government's handling of asylum claims and reported that there may have been cases in which bona fide refugees were turned away at the border. No such cases were reported during

the year; however, because NGO's lack institutionalized access to the country's borders, it often is difficult for them to monitor the Government's handling of asylum cases. During the year there were 2,428 applicants for refugee status in the country. Of these, 385 received refugee status, 1,185 were granted "humanitarian protection" status, 633 were denied refugee status, and the remaining 225 cases remained in progress at year's end, according to the Ministry of Interior. Humanitarian protection status provides temporary protection for 1 year, and persons may reapply. Refugee applications through August came predominantly from citizens of Afghanistan (1,081), Iraq (720), and Armenia (160). At the end of the year, no refugees from Macedonia who had fled fighting there earlier in the year remained in Bulgaria with temporary residence permits.

The Agency for Refugees reports that it has received 5,938 applications for asylum since its inception in 1993. Of these, 902 persons were listed as holding approved asylum or other humanitarian residence status at year's end. Domestic and international human rights organizations complained that the adjudication process is slow, but the UNHCR noted that the Agency for Refugees began a major restructuring project to reduce the adjudication time to a period of 3 months; the project is expected to take 4 years. The UNHCR, in cooperation with an NGO, operates three transit centers near the Greek, Turkish, and Romanian borders and assists the Government with a small reception center in Banya. Plans to open a reception center at the Sofia airport continued to be delayed due to a lack of funding. The UNHCR continued to work on plans to open a transit center in Kapitan Andreevo, on the border with Turkey.

On January 25, the ECHR ruled that the detention and deportation of Daruish Al-Nashif, a stateless Palestinian, had violated the European Convention on Human Rights (ECHR). In July 1999, Al-Nashif had been expelled from Bulgaria for being a threat to national security and engaging in illegal religious activity. In August 2000, Ahmad Musa, a Palestinian married to a Bulgarian and who had been living in Bulgaria for 15 years, was expelled from the country for being a threat to national security. Because expulsion orders are not subject to judicial review in the country, the exact grounds of his expulsion are not known; Musa took his case to the ECHR, where it remained pending at year's end.

There were no reports during the year of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have the right under the Constitution to change their government and head of state through periodic, free, and fair elections of the President and of the members of the National Assembly, although the constitutional prohibition of parties formed on ethnic, racial, or religious lines has the effect of circumscribing access to the political party process for some groups (see Section 2.b.). Suffrage is universal at the age of 18.

Parliamentary elections held in June were considered by international observers to be generally free and fair, and voting took place in a calm and orderly atmosphere; however, the Organization for Security and Cooperation in Europe (OSCE) reported that while a large number of media outlets gave the public broad access to information, provisions in the Election Law regulating campaign coverage in the public media were overly restrictive. Election contestants also had to pay for all appearances in the public broadcasting media, including debates, which effectively limited campaign coverage in the media. A coalition government headed by former King Simeon Saxe-Coburg of the National Movement Simeon II (NMS) party won the elections and took office in July.

Incumbent President Petar Stoyanov of the Union of Democratic Forces (UDF), who had been elected to a 5-year term in 1996, was defeated in the November presidential elections, which were generally free and fair, by Georgi Parvanov of the Bulgarian Socialist Party (BSP), whose term begins in January 2002.

No legal restrictions hinder the participation of women in government and politics; however, the percentage of women in government and politics does not correspond to their percentage of the population. As a result of the June parliamentary elections, the number of women in Parliament more than doubled to 63 out of 240 members (or 26 percent). A number of women hold elective and appointive office at high levels in the new Government, including one Deputy Prime Minister (who also is Minister of Labor and Social Policy), the Minister of Environment and Water Resources, and ten deputy ministers. Women also hold key positions in the Parliament, including one deputy Speaker and the chairs of three committees. The largest opposition party in Parliament, the Union of Democratic Forces, is led by a woman.

No legal restrictions hinder the participation of minorities in politics, apart from the prohibition of ethnically, racially, or religiously based parties (see Section 2.b.). Two MRF ministers are the first ethnic Turks ever to serve in the Cabinet. The Turkish community's popularly elected representation in the National Assembly roughly corresponds to its size. However, there are no Romani Members of Parliament. Both groups are underrepresented in appointed governmental positions, especially leadership positions. Roma groups are

demanding that existing political parties adopt platforms pledging more representation and other improvements for Roma in return for Roma support.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigations of Alleged Violations of Human Rights

A number of domestic and international human rights groups in general operate freely, investigating and publishing their findings on human rights cases. Human rights observers reported uneven levels of cooperation from various national and local government officials during the year. The APIA has opened new channels of information, which at times have proved quite helpful to human rights monitors; however, implementation of the act has been uneven. In particular, local administrations have been slow even to designate a place where APIA requests can be submitted. Human rights observers also have experienced some difficulty in obtaining information that previously had been easy to obtain, such as information from prosecutors.

The police demonstrated continued cooperation with human rights NGO's in providing human rights training to police officers; however, the Bulgarian Helsinki Committee (BHC) did not conduct any further human rights awareness training during the year. In general human rights monitors reported continued receptivity and dialog on the part of the Government and police officials toward human rights concerns. However, police practices at the working level had not changed noticeably by year's end.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination; however, in practice discrimination still exists, particularly against women and Roma.

Women

Violence against women is a serious and common problem, but there are no official statistics on its occurrence. The Animus Association Foundation (AAF), an NGO that offers assistance and support to female victims of violence, has estimated that one in five women suffers from spousal abuse. Spousal rape is a crime, but it rarely is prosecuted. According to a survey by a local polling agency, 80 percent of rapes involve a known assailant. The law exempts from state prosecution certain types of assault if committed by a family member, and the Government generally does not assist in prosecuting crimes of domestic assault unless the woman has been killed or injured permanently. Courts and prosecutors tend to view domestic abuse as a family matter rather than a criminal problem, and in most cases, victims of domestic violence take refuge with family or friends rather than approach the authorities. Police often are reluctant to intervene in cases of domestic abuse, even if a woman calls them seeking protection or assistance. No government agencies provide shelter or counseling for victims. In Sofia the NGO Nadya De Center provides shelter to battered women, and the AAF opened a crisis center that provides short-term emergency shelter for female victims of violence. There were 15 crisis centers around the country which provide assistance to female victims of violence at year's end. The AAF also operated a 24-hour hot line for women in crisis that was staffed by the Association's volunteer counselors, supported by 13 full-time professional therapists.

NGO observers report a generally improved public attitude toward issues of violence against women in the last few years. After several years of activism on the part of various NGO groups, the taboo against acknowledging and talking about domestic violence and violence against women has been broken. Observers also note some increased sensitivity on the part of police to the issue. The AAF reports that it periodically receives client referrals from police.

The courts prosecute rape, although it remained an underreported crime because of the stigma which society attaches to the victim. The maximum sentence for rape is 8 years; convicted offenders often receive a lesser sentence or early parole. According to the Ministry of Interior, 197 rapes and 35 attempted rapes were reported from January to August. In 2000 there were 254 rapes and 30 attempted rapes during the first half of the year.

Trafficking in women was a serious problem (see Section 6.f.).

During the year, AAF reported that it provided services to 1,427 clients, including 860 cases of domestic violence, 76 cases of sexual violence, and 228 cases or inquiries related to trafficking in women. However, observers believe that the actual incidents of each form of violence is much higher, as these represent only those cases in which the victims (or, in some trafficking cases, an overseas women's group) were willing and able to contact AAF.

There were no laws that prohibit sexual harassment, and sexual harassment was a problem. For example,

labor unions report that sexual harassment occurs in the clothing assembly industry, particularly in the southern parts of the country.

The Constitution forbids privileges or restrictions of rights on the basis of sex, and women are not impeded from owning or managing businesses, land, or other real property and do not suffer from discrimination under inheritance laws; however, women face discrimination both in terms of job recruitment and the likelihood of layoffs. Official figures show the rate of unemployment for women to be higher than that for men. Women are much more likely than men to be employed in low-wage jobs requiring little education, and the National Statistical Institute reports that as of November, the average salary of a woman was 76.8 percent of the average salary of a man. Statistics show that women are equally likely to attend universities, but they have less opportunity to upgrade their qualifications and generally end up in lower-ranking and lower-paying positions than their male counterparts. Women generally continued to have primary responsibility for child rearing and housekeeping, even if they are employed outside the home. Since 80 percent of employed women work in the lowest-paying sectors of the labor force, they often must work two jobs in addition to their household duties in order to help provide for their families. Female-headed households frequently live below the poverty line. There are liberal provisions for paid maternity leave; however, these actually may work against employers' willingness to hire and retain female employees. This is noticeable especially in higher-paying positions in the private sector, where many women with engineering degrees are compelled to work as secretaries.

No special government programs seek to address economic discrimination or integrate women better into the mainstream of society and the economy, although much NGO activity is focused on these activities.

Many of the approximately 30 women's organizations are associated closely with political parties or have primarily professional agendas. Some observers believe that women's organizations tend to be associated with political parties or professional groups because feminism has negative societal connotations. Of those organizations that exist mainly to defend women's interests, the two largest are the Women's Democratic Union in Bulgaria and the Bulgarian Women's Association. The Party of Bulgarian Women is one of the founding parties in the National Movement Simeon II coalition, which won the June parliamentary elections (see Section 3).

Children

The Government generally is committed to protecting children's welfare; however, government efforts in education and health have been constrained by serious budgetary limitations and by outmoded social care structures. The Constitution provides for mandatory school attendance until the age of 16. Public education is free, but children must pay for books, which is a problem for poor families. Fewer girls than boys attended school, especially among minority groups. Many Roma and other observers made credible allegations that the quality of education offered to Romani children is inferior to that afforded to most other students. Some Bulgarian parents are reluctant to have too many Romani children enrolled in school because they fear it will lower the school's academic standards. Romani children and ethnic Bulgarian children generally attend separate schools, although integration programs, including busing, were started in several localities during the year. The Government largely has been unsuccessful in attracting and keeping many Romani children in school. Schools in most Romani neighborhoods suffer from chronic absenteeism and very low graduation rates. Many Romani children arrive relatively unprepared for schooling; many of them are not proficient in the Bulgarian language. Poverty has led to widespread school truancy because many children in Romani ghettos cannot afford shoes or basic school supplies and instead turn to begging, prostitution, and petty crime on the streets. A social milieu that often does not highly value formal education also is a contributing factor. Lack of effective government infrastructure and programs and economic and social factors combine to deprive Romani youths of an education.

Early indications are that some initiatives undertaken by the Government and by Romani NGO's are achieving some small successes in mitigating these problems, for example by providing free lunches and subsidizing textbook and tuition costs. With the help of international donor funding, an ethnic reintegration effort began in schools in Vidin in September 2000 and continued throughout the year. In September 2000, approximately 300 Romani children from the Nov Put Romani neighborhood were bused to one of seven mixed regular schools in the town of Vidin. During the year, Romani children from the settlement continued to attend nonsegregated schools as a result of local and international nongovernmental initiatives, and this program was expanded to include the cities of Montana, Pleven, Stara Zagora, Sliven, and Khaskovo.

Conditions for children in state institutions are poor. According to the State Agency for Child Protection, at year's end, there were approximately 35 children confined to 360 state or municipal institutions, which are under the jurisdiction of 5 different government ministries. Of these children, only 2 percent are orphans, but many are disabled. Social attitudes towards the disabled have led families to institutionalize their children if they have disabilities. Another 2,900 children are considered "at risk," and have been forced to seek care in

institutions because their families can or will not support them. Human rights monitors are sharply critical of the serious deficiencies in all government-run institutions for children, including orphanages, "educational boarding schools" (reform schools), facilities for the mentally handicapped, and shelters for homeless children. These facilities are plagued by inadequate budgets, poorly trained and unqualified staff, and inadequate oversight. For example, the Government maintains a sizable network of orphanages throughout the country. However, many of the orphanages are in disrepair and lack proper facilities. NGO monitors further allege that even food budgets are highly deficient, with many institutions dependent on the uneven flow of private donations to feed their charges. Access to medical care and proper hygiene is poor; in August 2000, three children died of dysentery in the home for handicapped children in Medven.

There are few provisions for due process of law for Romani and other juveniles when they are detained in Educational Boarding Schools (formerly Labor Education Schools) run by the Ministry of Education (see Section 1.e.). Living conditions at these reform schools are poor, offering few medical, educational, or social services. Generally, staff members at many such institutions lack the proper qualifications and training to care for the children adequately. Degrading and severe punishment, such as the shaving of a child's head, reduction in diet, severe beatings, and long periods of solitary confinement, are common at the schools. Children in these institutions also do not have adequate access to medical care. Legislation provides for the court review of sentencing to such schools and addresses other problems in the reform school system (see Section 1.e.); however, these provisions do not function in practice. The decision to commit a child to an Educational Boarding School is made by a local Commission for Combating Juvenile Delinquency, which is generally not held accountable to any higher authority. Standards differ among these local commissions in how closely prescribed procedures are to be followed. Human rights monitors reported that in many localities, contrary to the law, a child may be held in such a facility for months on the basis of a police referral before the local commission convenes to make a decision on the case. The U.N.'s Common Country Assessment for Bulgaria reported that the children in these facilities "might be subject to physical abuse" and upon leaving these homes "may be emotionally scarred and ill-prepared to face the outside world."

The vast majority of children are free from societal abuse; however, some Romani children were targets of frequent skinhead violence and arbitrary police detention (see Section 1.d.); the homeless or abandoned particularly were vulnerable. For example, on August 21, a group of seven men severely kicked and beat a homeless 5-year-old girl in Sofia, breaking her right arm. There were reports that family or community members forced some minors into prostitution (see Sections 6.c. and 6.d.). Police made little effort to address these problems. Some observers believe that there continued to be a growing trend toward the use of children in prostitution, burglaries, and narcotics distribution. Trafficking in girls for the purpose of prostitution was a problem (see Sections 6.c. and 6.f.). Rough data from the police and public health officials placed the number of prostitutes working in the country under age 18 at several thousand.

Persons with Disabilities

The law provides for a range of financial assistance for persons with disabilities, including free public transportation, reduced prices on modified automobiles, and free equipment such as wheelchairs; however, budgetary constraints mean that such assistance occasionally is not given. Societal discrimination against persons with disabilities persisted. Disabled individuals have access to university training (students with disabilities must pay the university's initial application fee but are exempt from semester fees if accepted), to housing, and to employment; however, architectural barriers are a great hindrance in most older buildings, including schools and universities.

Conditions in institutions for the mentally disabled are poor. In October Amnesty International and the Bulgarian Helsinki Committee published a report on their visit to the Sanadinovo Home for Mentally Disabled Women and cited overcrowding, lack of proper hygiene, clothing, and access to medical care as serious problems. For example, as punishment, women were held in a cage made of iron bars and wire; the NGO observers noted that the cage floor was dirty with human excrement.

Labor laws intended to protect the interests of persons with disabilities and create greater employment opportunity have had a mixed effect. On the one hand, the law provides incentives for small firms to hire persons with disabilities; for example, the Bureau of Labor pays the first year's salary of a disabled employee. On the other hand, workers with disabilities are entitled to shorter working hours, which often leads to discrimination against them in hiring practices. According to the law, any enterprise employing more than 50 persons must hire a certain number of disabled workers (between 3 and 10 percent, depending on the industry). Those who fail to do so must pay a fine, the proceeds of which go to a fund for persons with disabilities. Nevertheless due to low fines and delays in the judicial system, compliance rates are extremely low. Problems of general unemployment and a poor economy also undermined initiatives aimed at advancing equal opportunity for persons with disabilities; the great majority of persons with disabilities are unemployed.

Policies and public attitudes prevalent during the Communist era, which separated mentally and physically

disabled persons, including very young children from the rest of society, have persisted. Some complained that the effective segregation of disabled children into special schools has lowered the quality of their education. Many children with disabilities are institutionalized.

The law requires improved structural access for the disabled, and public works have taken the needs of persons with disabilities into account, for example, Sofia's new subway system was designed with wheelchair access to stations. However, enforcement of this law has lagged in existing, unrenovated buildings.

Religious Minorities

Discrimination, harassment, and general public intolerance of "nontraditional" religious minorities (i.e., the great majority of Protestant Christian denominations) remained a problem, although the number of reported incidents decreased during the year. Strongly held suspicion of evangelical denominations among the Orthodox populace is widespread and pervasive across the political spectrum and has resulted in discrimination. Often cloaked in a veneer of "patriotism," intolerance of the religious beliefs of others was widespread. Such mainstream public pressure for containment of "foreign religious sects" inevitably influenced policymakers. Nevertheless there were fewer reported incidents of harassment of religious groups during the year.

Certain religions, including both groups denied registration and those officially registered, such as Jehovah's Witnesses, faced discriminatory practices, as did other groups, which despite full compliance with the law, were greeted with hostility by the press, segments of the public, and certain government officials (see Section 2.c.).

Non-Orthodox religious groups, including Jehovah's Witnesses, the Church of Jesus Christ of Latter Day Saints, and the Open Bible Fellowship, continued to be affected adversely by societal attitudes. Numerous articles in a broad range of newspapers as well as television documentaries, drew lurid and inaccurate pictures of the activities of non-Orthodox religious groups, attributing the breakup of families and drug abuse by youths to the practices of these groups and alleging that evangelicals were drugging young children. In the Pleven region, a local television station repeatedly broadcast an inflammatory statement purportedly representing the views of the local Bulgarian Orthodox bishop. The statement accused missionaries of the Evangelical Baptist Church of being "agents of foreign influence" and of distributing expired and second-rate goods through its charitable aid program. It further alleged that the Baptists' efforts to build a new medical facility in the region were effectively a bribe to local authorities to gain permission to build a Baptist church in the area.

In June in Ravnogor, near Plovdiv, the local priest ordered a group of Evangelical Christians to leave the village. Later the same night, a large group of Orthodox believers attacked the Evangelical's camp, vandalizing it and beating the Evangelicals. Although the local police arrived at the scene, they did not fill out an appropriate report, which would make it more difficult for the Evangelicals to seek damages in court.

National/Racial/Ethnic Minorities

According to a census taken during the year, ethnic Bulgarians make up 86 percent of the population, ethnic Turks 9 percent, and ethnic Roma 4 percent; however, the real percentage of Roma is likely closer to 6 or 7 percent, since many persons of Romani descent tend to identify themselves to the authorities as ethnic Turks or Bulgarians. Ethnic Bulgarian Muslims or "Pomaks" are a distinct group of Slavic descent whose ancestors converted from Orthodox Christianity to Islam; they constitute 2 to 3 percent of the population. Most are Muslim, although a number have become atheists or converted to Christianity. Smaller groups, such as Jews and Armenians, are well integrated into Bulgarian life.

There were numerous accusations of police assaults on Roma, and police shot and killed Roma (see Sections 1.a. and 1.c.). Police harassed, physically abused, and arbitrarily arrested Romani street children (see Sections 1.c. and 1.d.). Little progress has been made in resolving cases of police violence against Roma in previous years, and these largely remain in the investigatory phase.

Attacks by private citizens on Roma continued, and Roma continued to suffer incidents of violent discrimination. For example, in February school-aged boys beat unconscious a Romani boy. In March a Roma NGO reported that an unknown group of men vandalized and burned down a Romani house in Sofia. In June, the owner of an orchard stabbed and killed Rom Encho Ivanov, who was stealing apricots from his orchard. Also in June, a night guard in a vegetable garden shot and killed two Romani men in Mogila, near Yambol. In July an unidentified assailant shot a Rom, Tudor Todorov, who was attempting to steal almonds from a private orchard; Todorov was taken to the hospital in critical condition. No one had been arrested for the incident at year's end.

On July 15, six Roma males allegedly raped a 17-year-old girl. On September 15, a group of approximately 20 Bulgarians, some of whom may have been skinheads, beat 2 Roma. These incidents, combined with severe unemployment and poverty, contributed to strained relations between Bulgarian and Romani residents in the town of Samokov, where an incident escalated to violence that illustrates problems in many Bulgarian cities. On September 20, a group of youths hit a Romani boy on the head with a rock on the grounds of his school. Some parents withdrew their children from school over the incident. Later a crowd of approximately 300 Romani protesters beat at least 3 persons, including a professor who was hospitalized, and vandalized 2 schools and a car.

In November 2000, in Botevgrad, a neighbor shot and injured Asen Sashev, a 14-year-old Roma youth during an altercation. The neighbor, Marko Markov, was a fireman and had shot Sashev with his government-issue handgun. The Sofia Military Court ruled that Markov was blameless in the incident; an appeal to the Military Appellate Court was pending at year's end.

No action was taken against Tsvetan Tsvetanov, who, according to unconfirmed NGO reports, in August 2000 in Gradishte, shot and injured two Roma men, Paskal Paskalev and Ognyan Milenov.

In some cities, ethnic Bulgarian residents threatened and called for the expulsion of Roma from their cities. In September in an open letter sent to Prime Minister Saxe-Coburg, groups claiming to represent Roma complained of public statements made by ethnic Bulgarians in some towns, calling for measures that could lead to further segregation of the Roma. The problem intensified following the arrest of two Roma for the killing of an elderly Bulgarian man in the village of Strezherevo in July. Some village leaders called for the expulsion of Roma from the community. There were similar calls to expel Roma from the nearby town of Oryakhovitsa.

Beginning in 1999, a group of ethnic Bulgarian residents of a Burgas neighborhood have persisted in a petition drive and periodic calls for the expulsion of Roma and the demolition of Romani houses in the neighborhood.

As individuals and as an ethnic group, Roma continued to face high levels of discrimination. Roma encountered difficulties applying for social benefits, and rural Roma were discouraged by local officials from claiming land to which they are entitled under the law that disbands agricultural collectives. Many Roma and other observers made credible allegations that the quality of education offered to Romani children is inferior to that afforded to most other students. Workplace discrimination against minorities continued to be a problem, especially for Roma. Employers justify such discrimination on the basis that most Roma only have elementary training and little education.

Roma activists and NGO's continued to be disappointed with the Government's relative lack of progress in implementing its framework program for Roma integration--the Program for Social Integration of Roma--which was unveiled in 1999. Aside from the hiring of a number of individual Roma representatives in various institutions of local, regional, and national government (see Section 3), there has been little discernible progress in implementing the program.

In the past, it was common for ethnic Turkish and Romani conscripts to be shunted into military construction battalions during compulsory military service, which raised serious concerns both of discrimination and forced labor. However, in August 2000 the Government completed the transformation of these units into a state-owned company that no longer employs conscript labor, although it remains to be seen how future ethnic minority conscripts will be integrated into the mainstream of the military. There only were a few ethnic Turkish, Pomak, and Romani officers in the military, and an insignificant number of high-ranking officers of the Muslim faith.

To address the serious underrepresentation of ethnic Turks and Roma in the ranks of the police agencies, the new Interior Ministry has reserved 20 to 30 places in the police academy for minority candidates. However, ethnic Turks and Roma hold no senior law enforcement positions. In addition, ethnic Turks are represented on the boards of government-owned companies, such as Bulgartabak Holding, which is involved in the tobacco industry. A newly appointed school inspector provides the MRF with representation at the Ministry of Education. For the first time, the MRF has representation on boards that will distribute European Union accession funds for development. The Prime Minister and the MRF have discussed publicly the need for targeted assistance to promote the development of ethnically mixed areas. Only the courts continued to lack any notable ethnic Turk participation.

There are no restrictions on speaking Turkish in public. Voluntary Turkish-language classes in public schools, funded by the Government, continued in areas with significant Turkish-speaking populations, although some observers complained that the Government was discouraging optional language classes in areas with large concentrations of Muslims. The Ministry of Education has estimated that approximately 40,000 children study Turkish. Some ethnic Turkish leaders continued to call for compulsory Turkish-language classes in areas with

significant ethnic Turkish populations, but support for these views was muted during the year since the MRF became part of the Government.

There are no restrictions on the use of non-Slavic names; however, both ethnic Turks and Bulgarian Muslims complained that the procedures for restoring their original names (after their having been forced to adopt Slavic names during the 1970's and 80's) is excessively burdensome and difficult to accomplish. Early in the year, Parliament passed amendments to the Civil Registration Act, simplifying the name-restoring procedure.

Several thousand persons, mainly in the southwest, identify themselves as ethnic Macedonians, most for historical and geographic reasons. Members of the two organizations that purport to defend their interests, OMO-Iinden and TMO-Iinden, are believed to number in the hundreds (see Section 2.b.). The Government does not recognize Macedonians as a distinct ethnic group, and the group is not enumerated in official government statistics.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of all workers to form or join trade unions of their choice, and this right generally was exercised freely. Estimates of the unionized share of the work force range from 30 to 50 percent, but this share continued to decrease as large firms laid off workers, and most new positions appeared in small, nonunionized businesses. The two largest trade union confederations are the Confederation of Independent Trade Unions of Bulgaria (CITUB) and Podkrepa, which together represent the overwhelming majority of organized workers. Trade unions are required to demonstrate their membership strength through a periodic census of their members; however, employer representative organizations are not similarly required to demonstrate whom they represent in the trilateral process.

Doctors and dentists have expressed dissatisfaction with their Government-imposed union structure. The trade unions alleged that this organization is not truly a labor representative organization, but simply a government-mandated fee collection agency. They also believe it impedes the opportunity for a genuine trade union to represent medical professionals. The 1992 Labor Code recognizes the right to strike when other means of conflict resolution have been exhausted; however, "political strikes" are forbidden, and workers in essential services (primarily the military and the police) are subject to a blanket prohibition against striking. Such workers on occasion held an "effective strike" in which they stopped or slowed their activities for 1 or 2 hours. The CITUB confederation argued that the number of workers classified as essential and ineligible to strike is excessive and unfairly restricts the right of many ordinary civil servants to exercise their worker rights. The Government generally does not interfere with legal labor strikes, and a number of work stoppages took place during the year.

The Podkrepa labor union has complained that a 1998 amendment to a labor law has made it easier for the Government to declare a strike illegal. Under this amendment, workers no longer have the right to appeal when a strike is declared illegal. Podkrepa maintains that this provision is unconstitutional and violates an International Labor Organization (ILO) convention. The union has raised these concerns repeatedly with the Government in the context of negotiations over proposed changes to the Labor Code, and made a complaint to the ILO Committee of Experts.

The labor movement also remained concerned about the widespread use of temporary contracts to evade provisions for worker protections of permanent staff. Many workers, who effectively are permanent staff, are hired under short-term contracts that are renewed at the end of each month or each quarter. When an employer decides to fire someone, they may do so under the law by simply not renewing their contract, rather than initiating a severance action that would entail payment of benefits.

No restrictions limit affiliation or contact with international labor organizations, and unions actively exercise this right.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining, which was practiced nationally, regionally, and on the local level; however, labor unions have complained that while the legal structure for collective bargaining was adequate, many employers failed to bargain in good faith or to adhere to agreements that were concluded. Labor observers also viewed the Government's enforcement of labor contracts as inadequate. The legal prohibition against striking for key public sector employees weakens their bargaining position; however, these groups were able to influence negotiations by staging protests, work slow downs, and engaging in other

pressure tactics without going on strike (see Section 6.a.).

The Labor Code's prohibitions against antiunion discrimination include a 6-month period for redress against dismissal as a form of retribution. However, there is no mechanism other than the courts for resolving complaints, and the burden of proof in such a case rests entirely on the employee. In several instances in the past, an employer was found guilty of antiunion discrimination, but the employers appealed the decisions. The backlog of cases in the legal system delayed further action, effectively delaying, perhaps indefinitely, redress of workers' grievances.

The same obligation of collective bargaining and adherence to labor standards applies to the country's six export processing zones, and unions may organize workers in these areas.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor; however, trafficking in women for the purpose of prostitution was a problem (see Section 6.f.).

The Constitution prohibits forced or compulsory labor by children; however, trafficking in girls for prostitution was a problem (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code sets the minimum age for employment at 16 years; the minimum age for dangerous work is 18. Employers and the Ministry of Labor and Social Policy (MLSP) are responsible for enforcing these provisions. Child labor laws generally are enforced well in the formal sector, but NGO's believe that children increasingly were exploited in certain industries (especially small family-owned shops, textile factories, restaurants, family farms, construction, and periodical sales) and by organized crime (notably for prostitution and distribution of narcotics), where they often face illegal conditions.

An ILO-commissioned report on "Problems of Child Labor in the Conditions of Transition in Bulgaria" published the results of a study conducted during 2000, which found that 6.4 percent of children between the ages of 5 and 17, or approximately 80,000 children, were involved in paid employment in the informal sector. Of these children, 55 percent were between the ages of 15 and 17, while 45 percent were younger than 15 years-of-age. These figures exclude children performing unpaid work within the household or on a family farm. Children's workdays often exceed the 7-hour maximum set by the Labor Code, and sometimes children did not receive overtime pay for hours worked. Underage employment in the informal and agricultural sectors is believed to be increasing because of the breakup of collective farms and the growing private sector. In addition children (particularly ethnic Turkish children) were known to perform heavy physical labor and are exposed to health hazards on family-owned tobacco farms, and local NGO's reported that children worked on non-family-owned farms for meager monetary or in-kind wages (e.g., food). NGO observers also report that institutionalized children often hired themselves out for agricultural labor for a modest income, during periods when they were allowed out of the residential facility.

The country ratified ILO Convention 182 on the worst forms of child labor in June 2000.

The law prohibits forced and bonded labor by children; however, trafficking in young girls for the purpose of prostitution was a problem (see Sections 5 and 6.f.).

e. Acceptable Conditions of Work

In October the Government increased the monthly minimum wage from \$40 (85 leva) to \$47 (100 leva). The average industrial wage is approximately \$107 (246 leva). Nonpayment of wages and wage payments in arrears has been a growing problem with certain employers, including state enterprises. The CITUB labor confederation estimated that there was an overall backlog of \$50 million in unpaid wage arrears owed to public sector workers and workers in enterprises which are wholly or partly state-owned. The Constitution stipulates the right to social security and welfare aid assistance for the temporarily unemployed, although in practice such assistance often was late.

The Labor Code provides for a standard workweek of 40 hours with at least one 24-hour rest period per week. The MLSP is responsible for enforcing both the minimum wage and the standard workweek. Enforcement generally is effective in the state sector (aside from wage arrears), but is weaker in the private sector.

A national labor safety program exists, with standards established by the Labor Code. The Constitution states that employees are entitled to healthy and nonhazardous working conditions, and the MLSP is responsible for enforcing these provisions. However, conditions in many cases continued to worsen due to budget constraints and the growth of a private sector that labor inspectors do not supervise effectively. Protective clothing often was absent from hazardous areas (for example, goggles for welders and helmets for construction workers). The pervasive economic crisis and imminent, long-overdue privatizations continued to engender a heightened fear of unemployment, leading to reluctance on the part of workers to pursue wage and safety demands. Legislation passed in 1999 required joint employer and labor health and safety committees to monitor workplace conditions; however, implementation was slow and these committees remained in developmental stages at year's end.

Under the Labor Code, employees have the right to remove themselves from work situations that present a serious or immediate danger to life or health without jeopardy to their continued employment. However, in practice refusal to work in situations with relatively high accident rates or associated chronic health problems results in the loss of employment for many workers.

f. Trafficking in Persons

There is no law that specifically criminalizes trafficking in persons, although there are a variety of laws that can be used to arrest and prosecute traffickers; trafficking in women and girls remained a serious problem. The country is both a country of origin and a transit country for human trafficking, and to a lesser degree, a destination country. Victims overwhelmingly are women and girls trafficked for the purposes of prostitution. It is widely believed that a certain percentage of law enforcement offices or other government authorities are complicit in human trafficking.

Relevant authorities and NGO observers reported that thousands of Bulgarian women, as well as women from Romania, Moldova, Russia, Ukraine, Armenia, Azerbaijan, and Georgia are trafficked for sexual exploitation to Macedonia, Greece, Turkey, Yugoslavia (including Kosovo), Bosnia, Italy, Poland, and Western Europe. La Strada, a Netherlands-based NGO, reports that Bulgarian women constitute one of the largest groups of victims of forced prostitution in Western and Central Europe. Approximately 10,000 Bulgarian women, many under the age of 18, may be involved in international trafficking operations, but no official statistics are available. Village girls as young as 14 years of age have been kidnaped and smuggled over the border. A factor contributing to the high number of trafficking victims from the country is the high unemployment rate among young women. While the problem crosscuts ethnic groups in the country, women and girls of the Romani minority are disproportionately represented among Bulgarian-origin victims. The AAF reported handling 228 cases of returned victims of trafficking in women from January to August, out of a total of 1,427 clients. The bulk of all clients were assisted by a help line (see Section 5).

Girls and young women often are approached by persons who can gain their trust, often other young women and not infrequently acquaintances or persons introduced by mutual friends, who describe glamorous work opportunities abroad. Some are sold into bondage to traffickers by relatives. Victims of trafficking range from those who were deceived into believing that they would have good and respectable employment, to those who expected to work as prostitutes but were unprepared for the degree of violence and exploitation to which they would be subjected. Unaccompanied young women trying to cross the border into Macedonia, Romania, or Turkey may reportedly be at some risk of being abducted into trafficking. There are reports that women or girls who were denied access into Turkey for lack of an appropriate visa or means to pay for one may be "befriended" by traffickers at the border or abducted by taxi drivers at the border and sold to traffickers. Organized crime groups were responsible for human trafficking, although they may use various front companies posing as employment agencies or tour operators.

The process of transforming girls into prostitutes generally takes place before they even leave the country. The women typically are taken to a large town, isolated, beaten, and subjected to severe physical and psychological torture. Some trafficking victims from countries to the east are kept in Bulgaria for several weeks where they are subjected to psychological and physical abuse to make them more submissive before they are shipped to their destination points. Once the women leave the country, their identity documents are taken away, and they find themselves forced to work as prostitutes in cities across Europe. Victims routinely reported that traffickers took away their passports and visas, and forced them to stay illegally in countries. The women may be required to pay back heavy financial debts to the agency that helped them depart the country, leaving them in virtual indentured servitude. Traffickers punish women severely for acts of disobedience. Traffickers also use threats against the women's families and family reputations to ensure obedience.

It is widely believed that a certain percentage of law enforcement offices or other government authorities are complicit in human trafficking. The bulk of involvement seems to be accepting bribes to "look the other way," although some officers may be more involved. Those involved in facilitating trafficking overwhelmingly are low-level, low-paid officials in the provinces and border regions. While in principle the Government takes the

problem of trafficking seriously, in practice the Government uses ineffective methods and has a weak record in investigating and prosecuting corruption or misconduct in the police ranks (see Section 1.c.).

The law does not specifically address trafficking in persons, although other laws may be used to prosecute traffickers. An amendment to the Penal Code introduced longer prison sentences (to existing kidnapping penalties already in force) in those cases where the victim is under 18 years of age, is offered to another person for sexual abuse, or is trafficked abroad for sexual abuse. Inducement to prostitution is punishable by up to 3 years' imprisonment, and the penalty rises to 10 to 20 years if the any of the following factors are involved: If performed by or through an organized crime group, if the victim is a minor under age 18 or legally incompetent, if two or more persons are induced into prostitution, or if the offense is repeated. A proposed amendment to the Penal Code that would have criminalized trafficking for the purposes of forced labor or sexual exploitation was introduced in Parliament in April; however, the proposed legislation was not taken up for a second reading and no further action was taken by year's end. The Government investigates cases of trafficking; however, no suspected traffickers have been brought to trial, possibly because victims are afraid to confront their former criminal controllers in the absence of government-sponsored programs to assist or protect victims of trafficking. Some judges and prosecutors also report that they feared reprisals from organized crime figures.

There are two police units that specifically address the problem of trafficking in persons. One is part of the border police and the other is in the Ministry of Interior's organized crime fighting agency. The Government introduced reforms into its Customs Service that address trafficking. The Government also has increased its international cooperation in this area through the Southeast Europe Cooperation Initiative (SECI) Anti-Crime Center in Bucharest and in bilateral efforts.

The Government does not have a witness protection program, and witnesses often fear retaliation if they testify. The Government has a provision for victims to provide an anonymous sworn deposition to be used in court, but an anonymous deposition must be corroborated to obtain a conviction. Victims generally are not jailed, although they may be detained for brief periods for questions until referred to an NGO for assistance and repatriation. Victims who are not in legal immigration status and who do not accept voluntary NGO-assisted repatriation are deported. The Government does not have any formal assistance programs targeted at returned victims of trafficking, and there are few social benefits for such victims. Many victims of trafficking and forced prostitution are too young to have worked previously, which disqualifies them from receiving social security assistance. If victims are runaways with no registered address, they are ineligible for humanitarian assistance. Many victims also largely are ineligible for government assistance programs, most of which are in some way tied to previous employment status.

Prevailing public attitudes often stigmatize victims, although there are some signs that this may be changing slowly. There is one NGO-sponsored 24-hour hot line for women in crisis, including victims of trafficking, with trained volunteers as well as professional therapists to counsel victims. The hot line also provides volunteers to assist victims in obtaining other necessary services including medical exams and treatment, reissued identity documents, and housing and employment opportunities. The NGO also operates a shelter.

In April 2000, the International Organization for Migration (IOM) launched a trafficking awareness campaign in the country which included posting informational posters, distributing wallet cards and brochures, and broadcasting informational advertisements on radio and television. The Government cooperated to display posters and distribute cards and brochures at border checkpoints, police stations, schools, and other government facilities. During the year, the IOM developed educational curricula on the dangers of trafficking to be used in schools.